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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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LORAL RICHARD HUFFMAN, 99-B-0070,

Petitioner,

-v-

UNITED STATES OF AMERICA,

Respondent.

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**DECISION and ORDER**

05-CV-0370S

91-CR-0015S

On June 1, 2005, petitioner, Loral Richard Huffman, an inmate of a federal correctional facility, filed a *pro se* motion under 28 U.S.C. § 2255 to vacate, set aside or correct a sentence by a person in federal custody with respect to the judgment of conviction entered on May 5, 1992. This is petitioner's second or successive petition with respect to the same judgment of conviction, which was decided under the criminal docket number 91-CR-0015S. Petitioner's previous § 2255 motion was filed under civil number 94-CV-0863S.

According to 28 U.S.C. § 2255, "a second or successive motion must be certified as provided in § 2244 by a panel of the appropriate court of appeals." The petitioner's motion has not been so certified. Therefore, in the interests of justice and pursuant to 28 U.S.C. § 1631, this motion shall be transferred to the Second Circuit Court of Appeals for a determination of the certification issue. *Liriano v. United States of America*, 95 F.3d 119 (1996).

IT HEREBY IS ORDERED, that the petitioner's § 2255 motion is transferred to the  
Second Circuit Court of Appeals.

SO ORDERED.

Dated: July 9, 2005  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
United States District Judge